

Notice of Allowability

Application No.

10/076,516

Examiner

Dalei Dong

Applicant(s)

YONEZAWA ET AL.

Art Unit

2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed July 18, 2005.
2. ☒ The allowed claim(s) is/are 1-3, 5-10, 12-15, 17, 25, 27-29 and 34.
3. ☒ The drawings filed on 19 February 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 7/18/2005
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. The Amendment filed July 18, 2005, has been entered and acknowledged by the Examiner.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Benjamin E. Urcia on August 25, 2005.

The application has been amended as follows:

Claims 18-24. (Cancelled)

Response to Arguments

3. Applicant's arguments, see pages 9-13, filed July 18, 2005, with respect to claims 1-3, 5-10, 12-15, 17, 25, 27-29 and 34 have been fully considered and are persuasive. The Non-Final Rejection of March 17, 2005 has been withdrawn.

Allowable Subject Matter

4. Claims 1-3, 5-10, 12-15, 17, 25, 27-29 and 34 are allowed.
5. The following is an examiner's statement of reasons for allowance:

Regarding to independent claim 1, prior art of record taken alone or in combination fails to teach or suggest an electron tube comprising: at least one linear member provided above the base, wherein at least a part of the at least one linear member is a tension force applying portion for exerting a tension force; at least one spacer for defining a distance between the at least one linear member and the base, in combination with other claimed features of the present claimed invention.

Regarding to independent claim 5, prior art of record taken alone or in combination fails to teach or suggest an electron tube comprising: at least one linear member provided above the base, wherein at least a part of the at least one linear member is a tension force applying portion for exerting a tension force; at least one spacer for defining a distance between the at least one linear member and the base, in combination with other claimed features of the present claimed invention.

Regarding to independent claim 34, prior art of record taken alone or in combination fails to teach or suggest an electron tube comprising: at least one linear member provided above the base, wherein at least a part of the at least one linear member is a tension force applying portion for exerting a tension force; at least one spacer for

Art Unit: 2879

defining a distance between the at least one linear member and the base, in combination with other claimed features of the present claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following prior art are cited to further show the state of the art of composition of an electron tube.

U.S. Patent No. 6,812,643 to Kawasaki.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dalei Dong whose telephone number is (571)272-2370. The examiner can normally be reached on 8 A.M. to 5 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar Patel can be reached on (571)272-2457. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2879

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



D.D.

August 25, 2005



Joseph Williams
Primary Examiner
Art Unit 2879